

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**CARL E. DOTSON  
ADC #122778**

**PLAINTIFF**

**V.**

**CASE NO. 4:18-CV-935-DPM-BD**

**C. MONROE, *et al.***

**DEFENDANTS**

**ORDER**

Plaintiff Carl E. Dotson has moved for appointed counsel. (Docket entry #29) As a *pro se* litigant, Mr. Dotson has no statutory or constitutional right to appointed counsel in a civil case such as this. *Patterson v. Kelley*, 902 F.3d 845, 950 (8th Cir. 2018). A court may, in its discretion, appoint counsel for a *pro se* litigant if convinced that the plaintiff has stated a non-frivolous claim and that the nature of the litigation is such that both the plaintiff and the court would benefit from the appointment of counsel. *See Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996). “The relevant criteria for determining whether counsel should be appointed include the factual complexity of the issues, the ability of the indigent person to investigate facts, the existence of conflicting testimony, the ability of the indigent person to present the claims, and the complexity of the legal arguments.” *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006).

In this case, Mr. Dotson’s claims do not appear legally or factually complex. Based on Plaintiff’s pleadings and motions, it appears that Mr. Dotson is capable of prosecuting his claims without appointed counsel at this time.

Accordingly, Mr. Dotson's Motion for Appointment of Counsel (#29) is DENIED without prejudice, this 6th day of June, 2019.

  
UNITED STATES MAGISTRATE JUDGE